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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,719	07/25/2001	James A. Parker	36	6795
26362	7590	11/27/2007		
LOUIS J. HOFFMAN, P.C. 11811 North Tatum Boulevard, Suite 2100 Phoenix, AZ 85028			EXAMINER MANIWANG, JOSEPH R	
			ART UNIT 2144	PAPER NUMBER
			NOTIFICATION DATE 11/27/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Examiner-Initiated Interview Summary

Application No.

09/915,719

Applicant(s)

PARKER, JAMES A.

Examiner

Joseph R. Maniwang

Art Unit

2144

All Participants:

(1) Joseph R. Maniwang.

(2) Louis Hoffman (Reg. No. 38,918).

Status of Application: _____

(3) _____.

(4) _____.

Date of Interview: 19 November 2007

Time: _____

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:

53

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Discussed claim 53 in light of 35 U.S.C. 101. Examiner noted that the claim amendments appear to claim a transmission media and further fail to meet the functionality requirement. Specifically, Examiner noted that the claimed "Internet computer" served only as a conduit through which the claimed data stream passes, thereby not altering the data in any way (to which Applicant agreed). Although this appears to produce no result, Applicant asserted that the limitation both recites a statutory "machine" and that such machine further is analogous to a storage medium comprising instructions. Examiner further noted that the claims lack functionality as they are ultimately directed to data/frames (passing through a transmission media), which is not performing any function or producing a result. Although Applicant asserted that the data would produce a result when applied to a destination computer, Examiner noted that such a provision was not present in the claims. No agreement was reached other than to further discuss the matter in a subsequent interview.